



General Assembly

February Session, 2020

Raised Bill No. 5056

LCO No. 1162



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE UNLAWFUL DISSEMINATION OF
INTIMATE IMAGES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-189c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2020*):

3 (a) A person is guilty of unlawful dissemination of an intimate image
4 when (1) such person intentionally disseminates by electronic or other
5 means to one or more persons a photograph, film, videotape or other
6 recorded image of (A) the genitals, pubic area or buttocks of another
7 person with less than a fully opaque covering of such body part, or the
8 breast of such other person who is female with less than a fully opaque
9 covering of any portion of such breast below the top of the nipple, or (B)
10 another person engaged in sexual intercourse, as defined in section 53a-
11 193, (2) such person disseminates such image to one or more persons
12 without the consent of such other person, knowing that such other
13 person understood that the image would not be so disseminated, and
14 (3) such other person suffers harm as a result of such dissemination. For
15 purposes of this subsection, "disseminate" means to sell, give, provide,

16 lend, trade, mail, deliver, transfer, publish, distribute, circulate, present,
17 exhibit, advertise or otherwise offer.

18 (b) The provisions of subsection (a) of this subsection shall not apply
19 to:

20 (1) Any image described in subsection (a) of this section of such other
21 person if such image resulted from voluntary exposure or engagement
22 in sexual intercourse by such other person, in a public place, as defined
23 in section 53a-181, or in a commercial setting;

24 (2) Any image described in subsection (a) of this section of such other
25 person, if such other person is not clearly identifiable; or

26 (3) Any image described in subsection (a) of this section of such other
27 person, if the dissemination of such image serves the public interest.

28 (c) Unlawful dissemination of an intimate image to (1) a person by
29 any means is a class A misdemeanor, and (2) more than one person by
30 means of an interactive computer service, as defined in 47 USC 230, an
31 information service, as defined in 47 USC 153, or a telecommunications
32 service, as defined in section 16-247a, is a class D felony.

33 (d) Nothing in this section shall be construed to impose liability on
34 the provider of an interactive computer service, as defined in 47 USC
35 230, an information service, as defined in 47 USC 153, or a
36 telecommunications service, as defined in section 16-247a, for content
37 provided by another person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2020	53a-189c

Statement of Purpose:

To elevate the penalty for dissemination of intimate images in the case of dissemination to multiple persons by certain electronic means.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]